

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED - SHREVEPORT

SEP 25 2009

TONY R. MCGOWAN, CLERK
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 01-50070-01

VERSUS

JUDGE DONALD E. WALTER

JAMIE SMITH

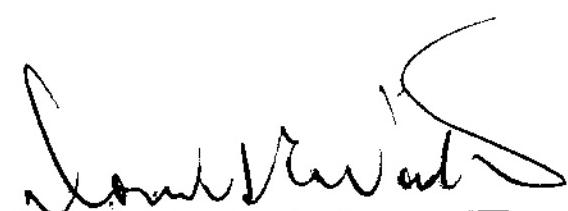
MAGISTRATE MARK HORNSBY

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, this Court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that the Certificate of Appealability is **DENIED** because the applicant has failed to file a Notice of Appeal [Rec. Doc. 782] within the time period allowed for appeals. *See* FED. R. APP. P. 4(a) and 28 U.S.C. § 2107.

IT IS ORDERED that the foregoing motion be and is hereby **DENIED**.

THUS DONE AND SIGNED in Shreveport, Louisiana, on this 24 day of September, 2009.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE